

shall establish a 24-hour per day contact person and telephone number so that claims of harmful interference into DoD earth station users and other operational issues can be reported and resolved expeditiously. This contact information shall be made available to DoD or its designee. If the National Telecommunications and Information Administration ("NTIA") notifies the Commission that DoD is receiving unacceptable interference from a NVNG licensee, the Commission will require such NVNG licensee to terminate its interfering operations immediately unless it demonstrates to the Commission's reasonable satisfaction, and that of NTIA, that it is not responsible for causing harmful interference into the worldwide DoD system. A NVNG licensee assumes the risk of any liability or damage that it and its directors, officers, employees, affiliates, agents and subcontractors may incur or suffer in connection with an interruption of its non-voice, non-geostationary mobile-satellite service, in whole or in part, arising from or relating to its compliance or noncompliance with the requirements of this paragraph (b). The Commission will not hesitate to impose sanctions on a NVNG licensee time-sharing spectrum in the 400.15–401 MHz band with DoD, including monetary forfeitures and license revocations, when appropriate.

(c) Each satellite in a NVNG licensee's system time-sharing spectrum with DoD in the 400.15–401 MHz band shall automatically turn off and cease satellite transmissions if, after 72 consecutive hours, no reset signal is received from the NVNG licensee's gateway earth station and verified by the satellite. All satellites in such NVNG licensee's system shall be capable of instantaneous shutdown on any sub-band upon command from such NVNG licensee's gateway earth station.

(d) Initially, a NVNG licensee time-sharing spectrum with DoD in the 400.15–401 MHz band shall be able to change the frequency on which its system satellites are operating within 125 minutes of receiving notification from a DoD required frequency change in the 400.15–401 MHz band. Thereafter, when a NVNG licensee constructs additional

gateway earth stations located outside of North and South America, it shall use its best efforts to decrease to 90 minutes the time required to implement a DoD required frequency change. A NVNG licensee promptly shall notify the Commission and NTIA of any decrease in the time it requires to implement a DoD required frequency change.

(e) Once a NVNG licensee time-sharing spectrum with DoD in the 400.15–401 MHz band demonstrates to DoD that it is capable of implementing a DoD required frequency change within the time required under paragraph (d) of this section, thereafter, such NVNG licensee shall demonstrate its capability to implement a DoD required frequency change only once per year at the instruction of DoD. Such demonstrations shall occur during off-peak hours, as determined by the NVNG licensee, unless otherwise agreed by the NVNG licensee and DoD. Such NVNG licensee will coordinate with DoD in establishing a plan for such a demonstration. In the event that a NVNG licensee fails to demonstrate to DoD that it is capable of implementing a DoD required frequency change in accordance with a demonstration plan established by DoD and the NVNG licensee, upon the Commission's receipt of a written notification from NTIA describing such failure, the Commission shall impose additional conditions or requirements on the NVNG licensee's authorization as may be necessary to protect DoD operations in the 400.15–401 MHz downlink band until the Commission is notified by NTIA that the NVNG licensee has successfully demonstrated its ability to implement a DoD required frequency change. Such additional conditions or requirements may include, but are not limited to, requiring such NVNG licensee immediately to terminate its operations interfering with the DoD system.

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Subpart D—Technical Operations

SOURCE: 58 FR 13421, Mar. 11, 1993, unless otherwise noted.

§ 25.271

§ 25.271 Control of transmitting stations.

(a) The licensee of a facility licensed under this part is responsible for the proper operation and maintenance of the station.

(b) The licensee of a transmitting earth station licensed under this part shall ensure that a trained operator is present on the earth station site, or at a designated remote control point for the earth station, at all times that transmissions are being conducted. No operator's license is required for a person to operate or perform maintenance on facilities authorized under this part.

(c) Authority will be granted to operate a transmitting earth station by remote control only on the conditions that:

(1) The parameters of the transmissions of the remote station monitored at the control point, and the operational functions of the remote earth stations that can be controlled by the operator at the control point, are sufficient to insure that the operations of the remote station(s) are at times in full compliance with the remote station authorization(s);

(2) The earth station facilities are protected by appropriate security measures to prevent unauthorized entry or operations;

(3) Upon detection by the licensee, or upon notification from the Commission of a deviation or upon notification by another licensee of harmful interference, the operation of the remote station shall be immediately suspended by the operator at the control point until the deviation or interference is corrected, except that transmissions concerning the immediate safety of life or property may be conducted for the duration of the emergency; and

(4) The licensee shall have available at all times the technical personnel necessary to perform expeditiously the technical servicing and maintenance of the remote stations.

(d) The licensee shall insure that the licensed facilities are properly secured against unauthorized access or use whenever an operator is not present at the transmitter.

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§ 25.272 General inter-system coordination procedures.

(a) Each space station licensee in the Fixed-Satellite Service shall establish a satellite network control center which will have the responsibility to monitor space-to-Earth transmissions in its system. This would indirectly monitor uplink earth station transmissions in its system and to coordinate transmissions in its satellite system with those of other systems to prevent harmful interference incidents or, in the event of a harmful interference incident, to identify the source of the interference and correct the problem promptly.

(b) Each space station licensee shall maintain on file with the Commission and with its Columbia Operations Center in Columbia, Maryland, a current listing of the names, titles, addresses and telephone numbers of the points of contact for resolution of interference problems. Contact personnel should include those responsible for resolution of short term, immediate interference problems at the system control center, and those responsible for long term engineering and technical design issues.

(c) The transmitting earth station licensee shall provide the operator(s) of the satellites, on which the licensee is authorized to transmit, contact telephone numbers for the control center of the earth station and emergency telephone numbers for key personnel; a current file of these contacts shall be maintained at each satellite system control center.

(d) An earth station licensee shall ensure that each of its authorized earth stations complies with the following:

(1) The earth station licensee shall ensure that there is continuously available means of communications between the satellite network control center and the earth station operator or its remote control point as designated by the licensee.

(2) The earth station operator shall notify the satellite network control center and receive permission from the control center before transmitting to the satellite or changing the basic characteristics of a transmission.

(3) The earth station operator shall keep the space station licensee informed of all actual and planned usage.